

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>IN RE:</b> <b>CANDICE P MATHES</b>    <b>Debtor</b>	) ) ) ) ) ) )	<b>CASE NO: 23-40080</b> <b>Chapter 13</b>  <b>Trustee's Objection to Confirmation</b> <b>Original Confirmation Hearing set for :</b> <b>February 23, 2023 11:00 am</b>
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**TRUSTEE'S OBJECTION TO CONFIRMATION OF 1ST AMENDED PLAN**

**COMES NOW** Diana S. Daugherty, Standing Chapter 13 Trustee, and for her objection to confirmation states as follows:

1. The set monthly payments to be made by the Trustee exceed the plan payment.
2. The plan does not contain enough funds to pay secured and priority creditors in full and pay the amount guaranteed to general unsecured creditors (if any). 11 U.S.C. §§ 1322(a)(2) and 1325(a)(5)(B)(ii). The approximate amount of the shortfall is \$3,289.
3. The proposed first amended plan increases plan payments to \$897 in month 13. Based upon the schedules as filed, Debtor has insufficient income to make the higher plan payment. The memorandum filed with the amended plan does not explain how Debtor will be able to afford the higher plan payment.

**WHEREFORE** the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: April 28, 2023

OBJCONF--JMP

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660

Attorney for Trustee

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was filed electronically on April 28, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on April 28, 2023.

23-40080

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AMENDED PLAN**

04/28/2023

Page 2 of 2

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CANDICE P MATHES  
2457 MARY AVE  
SAINT LOUIS, MO 63144

/s/ Jennifer M. Pontus

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